IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Crl.Rev.Pet.No. 843 of 2007(E)

CRA.224/2006 of SESSIONS COURT, ERNAKULAM
CC.515/2003 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOCHI

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REVN. PETITIONER: COMPLAINANT

K.K.SAJEEVKUMAR, AGED ABOUT 45,
PROPRIETOR,M/S R.K.STEEL & CEMENTS,
VADAKARA, KOZHIKODE DISTRICT.
NOW EMPLOYED IN DUBAI.

BY ADV. SRI.M.H.HANIL KUMAR
SRI.S.SANU S PANICKER

RESPONDENTS: ACCUSED & STATE:

1. INDIA CEMENTS LTD, 41/697 ICL HOUSE,
KRISHNA SWAMI ROAD,KOCHI-35, REPRESENTED BY ITS
POWER OF ATTORNEY HOLDER
K.SREEDARAN, ASST.MANAGER(ACCOUNTS).

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, KERNAKULAM.

BY ADV. SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 843 OF 2007

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Dated this the 28th day of February 2007

O R D E R

The revision petitioner who had filed an appeal over the conviction under section 138 of the Negotiable Instruments Act stands dismissed as the delay petition stood dismissed. It is submitted that the revision petitioner could not comply with the order of the court below to deposit a portion of the cheque. In the circumstances, the revision petitioner is directed to deposit 50 per cent of the amount ordered to be paid as compensation within one month from today onwards before Judicial First Class Magistrate-I, Kochi. The appellate court, on deposit of the amount, shall consider the application for condonation of delay and dispose of the same on merit.

The Criminal Revision Petition is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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